CASE NO.80-6657

IN THE SUPREME
COURT OF THE -
UNITED STATES

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SUPREME COURT, U.S.

OCTOBER 1980 TERM

JAMES E.PATTERSON,
APPELLANT,

ORIGINAL COPY

VS.

HANS J.SCHACHT,OTIS J.
ABERNATHY,JAMES LEWIS,
RALPH JOHNSON,NEIL
GUNTER,WESLEY BOYD,
HINCHEY,KENNETH GOR-
DON,THEODORE FRANKEL &
U.S.DIST.COURT-NORTHERN
DISTRICT OF GEORGIA,
APPELLEES.

ON APPEAL FROM THE
FIFTH CIRCUIT COURT
OF APPEALS

SUPPLEMENT TO JURIS-DICTIONAL STATEMENT-APPENDIX

RESPECTFULLY,

James Patterson, pro se

JAMES E.PATTERSON,PRO SE.
1004 VERNON STREET
LAGRANGE,GEORGIA 30240

DATED: 5-26-81.

JUDGE CHARLES A.MOYE,JR.
CHIEF JUDGE-
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
RUSSELL FEDERAL BLDG.
75 SPRING STREET,S.W.

RE: SUPREME COURT CASE NO.80-6657,PATTERSON V. ABERNATHY,UNITED STATES DISTRICT COURT-FOR NORTHERN DISTRICT OF GEORGIA,ET AL.

DEAR SIR:

THIS LETTER RESPONDS TO YOUR LETTER UNDER DATE OF MAY 18,1981 IN WHICH YOU TRY TO BLACK-MAIL ME NOT TO LET THE COMPLAINT IN YOUR -- POSSESSION NAMING YOUR COURT AS THE ONLY DEFENDANT BE FILED.

YOU CLAIM THAT MY FIRST ADMENDMENT RIGHT TO MY "PERSONAL OPINION" OF JUDGES OF YOUR COURT CONSTITUTES CONTEMPT --- ONLY IF --- IF--- I LET YOU FILE THE COMPLAINT,BUT DOES NOT --- IF --- I ADVISE YOU NOT TO FILE THE COMPLAINT.

YOUR LETTER TAKES THE UN-SUPPORTED PERSONAL OPINION THAT WHEN A COURT ISSUES AN UNCONSTITUTIONAL PERMANENT RESTRAINING ORDER AGAINST A PERSON THAT SAID PERSON NEVER HAS THE RIGHT TO SEEK TO SHOW THAT THE RESTRAINING ORDER IS INVALID.

THAT POSITION IS EXPRESSED WHEN YOU IMPLY THAT IF THE SUIT IS FILED THE COURT"MAY THEN"FIND THAT FILING SAID SUIT FURTHER VIOLATES JUDGE TIDWELL PERMANENT RESTRAINING ORDER.

HOWEVER,THIS MUCH ABUSED AND CHEATED PRO SE SHOWS YOU THAT JUDGE TIDWELL DOES NOT HAVE THE POWER TO ISSUE A PERMANENT RESTRAINING - ORDER AGAINST ME PRIOR TO AFFORDING ME A HEARING AND IT IS MY PERSONAL OPINION THAT BOTH YOU AND TIDWELL ARE DISHONEST BY IMPLYING THAT I COULD BE CITED FOR CONTEMPT OF AN ORDER WHICH YOU HAVE REFUSED FOR 14 MONTHS TO LET ME CHALLENGE AND NOW YOU COME FORTH WITH A LETTER WITH THREATS IF I FURTHER VIOLATE TIDWELL'S UNCONSTITUTIONAL RESTRAINING ORDER.

FED R CIV P RULE 65(b) READS IN PART:"IN CASE A TEMPORARY RESTRAINING ORDER IS GRANTED WITHOUT NOTICE,THE MOTION FOR A PRELIMINARY INJUNCTION SHALL BE"SET DOWN FOR HEARING"AT THE EARLIEST POSSIBLE TIME AND SHALL TAKE PRECEDENCE OF ALL MATTERS EXCEPT OLDER MATTERS OF THE SAME CHARACTER---" JUDGE TIDWELL DID NOT"SET FOR A HEARING" MOTIONS FOR PERMANENT RESTRAINING ORDER WHICH WERE NOT SUPPORTED BY AFFIDAVITS BEFORE HE ISSUED A PERMANENT RESTRAINING ORDER AGAINST ME ON MARCH 20,1980 AND I FEEL THAT IT IS DISHONEST FOR YOU TO IMPLY THAT ANY ACTION BY THIS PRO SE--AGAINST---THIS COURT IS GROUNDS FOR CONTEMPT.

SO,WHEREAS,YOUR LETTERS ACCUSING ME OF INSULTING JUDGES OF YOUR COURT DID'NT TAKE INTO CONSIDERATION THE FACT THAT TIDWELL INSULTED ME AND HE DID BECAUSE HE KNEW A PRO SE HAD NO WAY TO PROTECT HIMSELF AGAINST A DISHONEST JUDGE AND HIS UNCONSTITUTIONAL PERMANENT RESTRAINING ORDER ISSUED IN CLEAR VIOLATION OF FRCP RULE 65(b) AND 65 (a)(1).

YOU STATE THAT JUDGE VINING MIGHT DETERMINE THAT FILING OF MY COMPLAINT IN YOUR POSSESSION CONSTITUES FURTHER GROUNDS FOR CONTEMPT,BUT WILL NOT IF I ADVISE YOU NOT TO FILE THE COMPLAINT. WELL SIR,I CAN'T UNDERSTAND WHY VINING WOULD CITE ME A SECOND TIME WHEN HE HAS STEADFASTLY REFUSED FOR 10 MONTHS TO BRING ME TO TRIAL ON A SHOW CAUSE ORDER ENTERED ON AUGUST 7,1980.

YOU SEE,JUDGE,I FILED FOUR MOTIONS SEEKING A CONTEMPT TRIAL AND NEITHER VINING OR TIDWELL OR YOU WOULD RESPOND TO EITHER OF THOSE FOUR MOTION SEEKING A SIXTH AMENDMENT SPEEDY TRIAL WITH COURT APPOINTED COUNSEL. WHY ARE YOU JUDGES AFRAID TO PUBLICLY TRY ME?

BUT NOW YOU WRITE ME AN UNSOLICITED LETTER MAKING THREATS TO CITE ME IF I INSIST ON LETTING YOU FILE MY COMPLAINT NAMING YOUR COURT AS THE ONLY DEFENDANT BE FILED.

YOUR LETTER ACCUSES ME OF INSULTING JUDGES OF YOUR COURT.THEN LET'S CITE EVIDENCE SHOWING THAT THOSE JUDGES "OF YOUR COURT"ARE CHEATERS, DISHONEST AND THAT THEY HAVE INSULTED AND DEMEANED US FOR NO OTHER REASON THAN THEY KNEW THAT THEY COULD GET AWAY WITH "IT"BECAUSE WE LACKED THE PROTECTION OF AN ATTORNEY.

INSULTED YOUR JUDGES: THEN CONSIDER-TO WIT:(1) JUDGE HENDERSON STOLE FEDERAL JUDGMENTS NOS.C78-31-N & C78-47-N FROM ME WITH A FRAUDULENT PROTECTIVE ORDER (P.O.). JUDGE HENDERSON CAUSED THE POSTAL SERVICE TO DELIVERY TO MY MAIL BOX A BIG LIE THAT HENDERSON HELD A DISCOVERY CONFERENCE ON JULY 28,1978 TO HEAR "MY ATTORNEY?" ARGUE FOR MY RIGHTS TO MATERIAL EVIDENCE IN POSSESSION OF THE APPELLEES WHICH THEY HAD PREVIOUSLY UTILIZED AGAINST ME IN MY ABENCE,BUT,STATED HENDERSON IN THAT FRAUDULENT P.O.,HE DID NOT PREVAIL. I ASK YOU,JUDGE MOYE,WOULD A BIG LIE LIKE THAT INSULT AND DEMEAN YOU IF YOU WERE PROCEEDING PRO SE IN A FEDERAL COURT?

I DON'T HAVE ANY PROBLEM SHOWING THAT NO ATTORNEY REPRESENTED ME IN HENDERSON'S COURT TO PROTECT MY PROCEDURAL RIGHTS CONTRARY TO HENDERSON'S FRAUDULENT P.O.. SINCE NO LAWYER REPRESENTED THIS PARTY IT THEN IS ALSO TRUE THAT HENDERSON DID NOT HOLD A DISCOVERY CONFERENCE TO HEAR "MY ATTORNEY?" INSULTED BY HENDERSON? YES.SIR!

JUDGE HENDERSON ALSO INSULTED ME WITH THE LIE THAT A MOTION FOR SUMMARY JUDGMENT DID NOT HAVE TO BE DEFENDED BY THE OPPOSING PARTIES WHEN HE KNEW,OF COURSE, THAT LOCAL RULE 91.72 AND FRCP RULE 56(c),SUBD.(e) MAKES DEFENDING SUCH A MOTION AS MANDATORY.

SO,JUDGE MOYE,SUPPOSE YOU ARE A A PRO SE AND HENDERSON CAUSES THAT LIE TO BE DELIVERED TO YOUR MAIL BOX-WOULD YOU BE INSULTED AND FEEL DEMEANED? I WAS INSULTED BECAUSE I KNEW THAT HENDERSON WAS --

TAKING UNFAIR ADVANTAGE OF ME FOR NO OTHER REASON THAN THAT I WAS A PRO SE.

SO,YOU INSULT ME WITH A BLACK-MAIL LETTER INTENDED TO COVER UP FOR JUDGE ALBERT J.HENDERSON,JR., AMONG OTHER JUDGES OF YOUR COURT. IF YOU WERE HONEST,YOU WOULD COMPENSATE ME FOR THE GROSS ABUSE HEAPED ON ME BY JUDGE HENDERSON,AND OTHER JUDGES OF YOUR COURT.

SO, BEFORE YOU AND VINING DECIDE TO CITE ME A SECOND TIME FOR CONTEMPT I BELIEVE THAT IT WOULD BE IN YOUR BEST INTEREST TO LOCATE THE ATTORNEY WHOM HENDERSON CLAIMS IN HIS ORDERS PROTECTED MY PROCEDURAL RIGHTS IN HIS COURT REVELANT TO CASES NOS.C78-31-N & C78-47-N.

TO WIT:(2):CONSIDER THE LIE THAT JUDGE TIDWELL UTILIZED TO -- FRAUDULENTLY DISMISS C.A.NO.79-106-N. HE FALSELY RULED THAT THAT - ACTION WAS BASED ON CLAIMS ADJUDICATED IN HENDERSON'S COURT.TIDWELL KNEW THAT HE WAS LYING AND THAT CASE NO.C79-106-N DOCUMENTED THAT THE APPELLEES HAD PROCEEDING AGAINST ME IN HENDERSON'S COURT ON THE "STRENGHT"OF A FRAUDULENT ORDER WHICH FALSELY STATED THAT A LAWYER PROTECTED MY DUE PROCESS RIGHTS IN HENDERSON'S COURT. JUDGE TIDWELL KNEW HIS DISMISSAL ORDER WAS BASED ON PERJURY BECAUSE WE FURNISHED HIM A COPY OF THE FRAUDULENT ORDER ALLUDING TO"OUR ATTORNEY?"

TO WIT:(3): TIDWELL NEVER ENTERED A RULING UPON OUR NON-CONTROVERTED MOTION FOR SUMMARY JUDGMENT (S.J.) REVELANT TO CASE NO C 79-106-N AND YOU NOW CLAIM THAT THE INJUNCTIVE CLAUSE TACKED ONTO THE DISMISSAL ORDER FOR THAT ACTION IS IN COMPLIANCE WITH FRCP RULES 65(a)(1) & 65(b) WHEN I WAS NOT AFFORDED A HEARING BEFORE TIDWELL TACKED ONTO DISMISSAL OF CASE NO.C79-106-N A PERMANENT INJUNCTIVE ORDER.WHAT HE REALLY DID WAS TO ORDER SUPPRESSED ALL EVIDENCE OF HENDERSON 'S conduct .SO, TIDWELL CHEATED US OUT OF RIGHT TO S.J. BECAUSE WE WERE PROCEEDING PRO SE AND TO BE CHEATED MADE ME FEEL INSULTED AND DEMEANED. A CASE CAN NOT BE DISMISSED UNDER ABOVE FACTS.

THE HONEST OBSERVER WOULD WONDER WHY THE CHIEF JUDGE WOULD -- WRITE US A BLACK MAIL LETTER TRYING TO COVER UP THE MISCONDUCT OF JUDGE ERNEST TIDWELL INSTEAD OF OFFERING TO COMPENSATE US FOR THE GROSS-MIS--USE OF FEDERAL POWER.

TO WIT:(4): JUDGE TIDWELL RULED IN HIS DISMISSAL ORDER FOR --- CASE NO.C79-106-N THAT SINCE WE HAD NOT SHOWN ANY REASON WHY WE COULD NOT PAY COSTS AND ATTORNEY'S FEES THAT WE WERE ORDERED TO DO SO. WHEREUPON,WE RECEIVED FROM COUNSEL FOR THE APPELLEES REQUESTS FOR OVER $ 10,000.00. THE TRUTH:TIDWELL KNEW THAT SAID RULING WAS A LIE AND THAT WE HAD FURNISHED HIS COURT WITH EVIDENCE SHOWING THAT WE WERE UNEMPLOYED BECAUSE YOUR JUDGES CONFISCATED MY "PROPERTY RIGHTS" TO A JOB WITH THE TROUP COUNTY BD.OF EDUCATION WITHOUT AFFORDING ME DUE PROCESS AND YOUR COURT'S ORDER CONFISCATING MY "PROPERTY -- RIGHTS" SOLD THE APPELLEES THE BIG LIE THAT I WAS DISHONEST UNDER OATH AND THAT FALSE CHARGE CLOSED THE JOB MARKET TO US BECAUSE THE

APPELLEES WENT TO THE NEWS MEDIA WITH THAT LIE FROM YOUR COURTs TO PUBLICLY INSULT US.WELL,SIR,THEY DID INSULT US AND IN THE PROCESS YOUR JUDGES AND THE APPELLEES DESTROYED OUR ONCE EXCELLENT MENTAL HEALTH TO THE EXTENT THAT OUR ONLY INCOME IS DERIVED FROM SOCIAL SECURITY DISABILITY INSURANCE AND WE ARE NOT 62 YEARS OF AGE.

SO,YOUR JUDGES AND YOUR COURTS PRIVATELY AND PUBLICLY INSULT ME BY CAUSING COURT ORDERS WHICH CONTAIN PERJURED FINDINGS TO BE DELIVERED TO MY MAIL BOX AND SOME OF SAID PERJURRY HAS FOUND ITS WAY TO NEWS MEDIA AND YOU HAVE THE AUDACITY TO TELL ME THAT I MAY BE CITED FOR CONTEMPT BUT ONLY --- IF --- I INSIST THAT MY COMPLAINT NOW IN YOUR POSSESSION IS FILED WIT.. THE CLERK.WELL,SIR I DID NOT FILE THE COMPLAINT WITH YOU,BUT WITH THE CLERK.

TO WIT:(5): JUDGE VINING INSULTED ME WITH THE LIE WHICH HE - CERTIFIED TO THE FIFTH CIRCUIT THAT I HAD REFUSED TO APPEAR FOR A SCHEDULED SHOW CAUSE TRIAL ON SEPTEMBER 3,1980,AND HE KNEW,OF COURSE, THAT HE WAS LYING FOR BENEFITS OF THE APPELLEES BECAUSE HE KNEW,OF COURSE,THAT HE CANCELED THAT SET HEARING ON SEPTEMBER 2,1980 RATHER THAN TO APPOINT COUNSEL FOR THIS ABUSED AND CHEATED PRO SE.

MORE TRUTH RE:(5): IF I HAD FAILED TO APPEAR AS VINING LIED TO SAY WAS THE CASE,HE WOULD HAVE CITED ME FOR CRIMINAL CONTEMPT AND ORDERED ME ARRESTED AND HELD WITHOUT BOND PENDING A TRIAL AND HE - WOULD ALSO HAVE ENTERED AN ORDER GRANTING THE APPELLEES DEFAULT JUDGMENT,BUT VINING DID NOT HAVE ME ARRESTED AND HE HAS NOT ENTERED DEFAULT AGAINST ME.

SO,WHEREAS,YOUR ATTACHED LETTER ALLEGES THAT IF VINING CITES ME A SECOND TIME THAT HE WILL APPOINT COUNSEL FOR ME IF "APPROPRIATE" THE PROBLEM WITH THAT SUPPOSITION IS THAT SINCE I KNOW THAT -- VINING IS DISHONEST I ALSO KNOW THAT HE WOULD NOT FIND IT "APPROPRIATE" TO APPOINT COUNSEL FOR US FOR IT IS A MATTER OF RECORD THAT HE HAS IGNORED FOUR MOTIONS ASKING HIM TO BRING US TO TRIAL WITH COURT APPOINTED COUNSEL.

IF I HAD TO STAND TRIAL BEFORE JUDGE VINING KNOWING WHAT I KNOW ABOUT HIM,I WOULD SIMPLY PLEAD GUILTY EVEN IF I WERE INNONCENT BECAUSE HE HAS PROVEN TO ME THAT HE CANNOT BE BELIEVED WHEN HE WILL CERTIFIY AS "TRUE" THE PERJURY THAT WE REFUSED TO APPEAR AS ORDER FOR A CONTEMPT TRIAL.

YES,YOUR HONOR,JUDGE VINING HAS INSULTED ME WITH HIS CERTIFIED PERJURY TO THE FIFTH CIRCUIT COURT OF APPEALS AND IT WAS AN INSULT ALSO TO BE DEMEANED TO THE EXTENT THAT VINING HAD THAT LIE DELIVERED TO MY HOME AND THE ONLY REASON WHY HE GOT AWAY WITH IT WAS THAT HE KNEW THAT YOU WOULD SUPPORT HIM AND NOW YOU ARE PROVING HIM RIGHT.

TO WIT:(6): I REFUSE TO WASTE MY TIME POINTING OUT THE MANY - TIMES THAT JUDGE SHOOB HAS RESORTED TO PERJURY TO DENY THIS PRO SE THE DUE ADMINISTRATION OF JUSTICE,BUT IF YOU WISH TO CITE ME FOR - CONTEMPT A SECOND TIME AND IF YOU ARE NOT AFRAID TO BRING ME TO TRIAL

I'LL SHOW YOU WRITTEN EVIDENCE FROM THE WITNESS STAND THAT HE IS DISHONEST, ARROGANT AND HAS A BUILT IN HATRED FOR THIS PRO SE AND THE TONE OF HIS ORDERS REVEALS HIS VERY HOSTILE ATTITUDE TOWARD THIS PRO SE.

FOR AN EXAMPLE, JUDGE SHOOB IS ON WRITTEN RECORD OF HAVING RULED THAT ANY PLEADING FILED BY ME SEEKING ANY TYPE OF RELIEF WAS DENIED--EVEN BEFORE I FILE SUCH A PLEADING.

I AM CONFUSED AS TO WHY YOUR LETTER DOES not STATE THAT MY COMPLAINT CAN'T BE FILED BECAUSE IT VIOLATES JUDGE VINING'S ORDER ENTERED IN OCTOBER 2,1980 IN WHICH HE FALSELY RULED THAT HE HAD THE POWER UNDER 28 USC # 1651(a) TO PREVENT ME FROM BRINGING SUIT A--GAINST THE APPELLEES FOR HAVING FILED FRAUDULENT CONTEMPT CHARGES. THEIR CHARGES WERE AND ARE FRAUDULENT AND IF VINING THOUGHT HE COULD CONVICT US ON THE CIVIL CONTEMPT CHARGE HE WOULD HAVE BROUGHT US TO TRIAL SINCE THAT SHOW CAUSE ORDER WAS ENTERED ON AUGUST 7,1980.

YOUR LETTER ALLEGES THAT JUDGE VINING MIGHT DECIDE TO CITE ME A SECOND TIME FOR STATEMENTS IN MY LETTER TO THE CLERK FURNISHED WITH THE COMPLAINT WHICH YOU PREVENTED FROM BEING FILED. HOWEVER, THE FEDERAL APPELLATE COURTS HAVE HELD THAT: "WHILE UNITED STATES COURT HAS POWER TO PUNISH FOR CONTEMPT OF ITS AUTHORITY THAT INCLUDES THE MISBEHAVIOR OF ANY PERSON IN ITS PRESENCE OR SO NEAR TO AS TO OBSTRUCT JUSTICE AND DISOBEDIENCE OR "RESISTANCE TO ITS LAWFUL COMMANDS;"---- IT IS NOT ---- EMPOWERED TO PUNISH AS CONTEMPT ANY --- ACTION --- OR STATEMENT ---MERELY BECAUSE IT MAY DISPLAY DISRESPECT FOR THE COURT" U.S.EX REL-LYNCH V.WERKSMAN (D.C.ILL.1970) 319 F.SUPP.353, F.SUPP.623, AFFIRMED 556 F.2D 568. JUDGE TIDWELL'S PERMANENT RESTRAINING ORDER IS NOT A "LAWFUL COMMAND" SINCE IT WAS ENTERED IN A MANNER INCONSISTENT WITH DUE PROCESS REQUIRED BY FRCP RULES 65(b),& 65(a)(1).

IN ANOTHER CASE THE APPELLANT COURTS RULED THAT: "TO AMOUNT TO CRIMINAL CONTEMPT, --- I-N-S-U-L-T- MUST GO BEYOND AFFORNT AND IN -- SOME WAY OBSTRUCT THE PROCEEDINGS OR THREATEN THE DISPASSIONATE ADMINISTRATION OF JUSTICE" GORDON V.UNITED STATES, (C.A.MASS.1979) 592 F.2D 1215.

IN STILL ANOTHER CASE THE COURT HELD THAT: "IN ABSENCE OF INTENT AND OBSTRUCTION, USE OF --- INSULTING --- DEROGATORY AND DISRESPECTFUL LANGUAGE IN ADDRESSING COURT DO NOT CONSTITUTE CONTEMPT ON PART OF ATTORNEY" U.S.V.MEYERS (D.C.D.C. 1972) 346 F.SUPP.973

THEREFORE, YOUR HONOR, THE FEDERAL APPELLANT COURTS TO DO NOT AGREE WITH YOU THAT WHAT YOU CONSIDER TO BE INSULTING LANGUAGE -- CONSTITUTES GROUNDS FOR CONTEMPT, BUT ALL APPELLANT COURTS DECLARE THAT A PARTY CAN NOT BE CITED FOR EITHER CIVIL OR CRIMINAL CONTEMPT MERELY BECAUSE HE OR SHE EXPRESSED A FIRST AMENDMENT PERSONAL OPINION ABOUT A COURT AND ITS JUDGES..

YOUR LETTER MAKES THE REQUEST THAT I ADVISE YOU WHETHER OR NOT I WANT YOU TO FILE THE COMPLAINT WHICH YOU PREVENTED FROM BEING -- FILED AFTER I MAILED IT WITH A FILING FEE CHECK TO THE CLERK OF COURT, BUT BEFORE I CAN ANSWER THAT ONE QUESTION I MUST HAVE INFORMATION WHICH ONLY YOU AS CHIEF JUDGE CAN ASSURE.

1. CAN YOU ADVISE ME AT TO WHETHER OR NOT I WILL BE CITED FOR CIVIL OR CRIMINAL CONTEMPT IF I AGREE TO LET YOU FILE THE COMPLAINT?

2. IF THE STATEMENTS WHICH YOU DESCRIBED AS "INSULTING"ARE GROUNDS FOR CONTEMPT WHY DON'T YOU CITE ME WHETHER THE COMPLAINT IS FILED OR NOT?

3. WILL YOU ACCEPT RESPONSIBILITY FOR MY RIGHT TO A JURY TRIAL ON ANY CONTEMPT CHARGE FILED AGAINST ME ON THE GROUNDS THAT I MUST SHOW THAT C.A.NO.79-106-N CONTAINS NOT AN INJUNCTIVE CLAUSE, BUT A SUPPRESSION ORDER COVERING UP FOR JUDGE HENDERSON AND THE PRESENT APPELLEES."IN THE FEDERAL COURTS, THE RIGHT TO JURY TRIAL EXTENDS TO ALL ACTIONS IN WHICH "LEGAL" AS DISTINGUISHED FROM "EQUITABLE" RIGHTS ARE TO BE ASCERTAINED" CURTIS V.LOETHER(1974)415 US 189,94 SCT 1005,39 LE2D 260; SIMLER V.CONNER (1963) 372 US 221,83SCT 609, 9 LE2D 691. I HOLD TO THE POSITION THAT I HAVE A "LEGAL RIGHT" TO CHALLENGE THE VALIDITY OF JUDGE TIDWELL'S PERMANENT RESTRAINING ORDER AND THAT OF JUDGE VINING IN WHICH HE PROTECTS THE APPELLEES BY 28 USC # 1651(a), SO HE CLAIMS. BUT YOUR LETTER INSIST THAT I LACK THE "LEGAL RIGHT" TO CHALLENGE TIDWELL'S PERMANENT RESTRAINING ORDER AND IF I DO I AM GUILTY OF A SECOND CHARGE OF CONTEMPT. THUS, I ASK YOU TO ADVISE WHETHER OR NOT YOU WILL AFFORD ME A JURY TRIAL ON ANY SECOND CHARGE OF CONTEMPT?

4. WILL YOU ACCEPT THE RESPONSIBILITY TO ASSURE ME THAT I WILL HAVE WITHIN A WEEK AFTER BEING CITED COURT APPOINTED COUNSEL TO HELP HELP ME PREPARE A DEFENSE AGAINST THE VALIDITY OF TIDWELL'S DISMISSAL ORDER FOR C.A.NO.79-106-N IN WHICH HE VIOLATED FRCP RULES 65(b),65(a)(1) AND 65(d) BY TACKING A SUPPRESSION ORDER ONTO A DISMISSAL ORDER AND THEN DEFINING SAID ORDER AS A "PERMANENT RESTRAINING ORDER"

YOUR LETTER STATED THAT THE COMPLAINT IN YOUR POSSESSION WOULD NOT BE FILED UNTIL AND UNLESS I ADVISE YOU TO FILE IT AND MY RESPONSE TO YOUR REQUEST IS THAT I WANT YOU TO ANSWER THE FOUR QUESTIONS ABOVE BEFORE I MAKE MY DECISION ON YOUR REQUEST.

RESPECTFULLY,

James E. Patterson

JAMES E.PATTERSON
1004 VERNON STREET
LAGRANGE, GEORGIA 30240
404/882-8533

DATED: 5-26-81.

MERE DISRESPECT OR INSULT CANNOT BE PUNISHED WHERE IT DOES NOT INVOLVE ACTUAL OR MATERIAL OBSTRUCTION OF COURT PROCEEDING" IN RE: DELLINGER,(C.A.ILL.1972)461 F.2D389;GORDON V.U.S.(C.A.MASS.1979) 592 F.2D 1215.

ADDENDUM

I DON'T UNDERSTAND WHY YOU DID NOT CONSULT WITH JUDGE SHOOB TO LEARN HOW HE DEPOSES OF PRO SE COMPLAINTS. JUDGE SHOOB NEVER FAILS TO RULE THAT A PRO SE LAWSUIT DOES'NT COMPLY WITH THE FORM REQUIRED BY FRCP RULE 8 IN SPITE OF THE FACT THAT THE UNITED STATES SUPREME COURT HAS CONSISTENLY HELD THAT A PRO SE DRAFTED COMPLAINT DOES'NT HAVE TO COMPLY WITH FRCP RULE 8 REQUIREMENTS.

SO, WHEN I TRIED TO FILE WHAT WOULD HAVE BEEN C.A.NO.80-1236-A-- JUDGE SHOOB ACCEPTED AN EX PARTE MOTION FROM A PARTY NOT UNDER THE COURT'S JURISDICTION TO QUASH MARSHAL'S SERVICE ON THAT COMPLAINT. JUDGE SHOOB RULED THAT C.A.NO.80-1236-A "APPARENTLY" VIOLATED TIDWELL'S PERMANANT RESTRAINING ORDER AND COULD NOT BE FILED, BUT HE DID KEEP MY $ 65.00 IN SPITE OF THE FACT THAT HE LIED BY STATING THAT MY BANK DID NOT PAY THAT CHECK WHEN PRESENTED FOR PAYMENT ON THE -- FIRST EFFORT TO COLLECT FOR IT.

BY THE WAY, JUDGE MOYE, SINCE NO DEFENDANT WAS EVER SERVED A COPY OF WHAT SHOOB REFERRED TO AS C.A.NO.80-1236-A HOW DID THAT ONE PARTY, WHO FILED A MOTION TO QUASH MARSHAL'S SERVICE ON DEFENDANTS, EVEN - KNOW THAT THE COMPLAINT WAS IN SHOOB'S CHAMBERS UNLESS SHOOB CONSPIRED WITH HIM TO SOLICIT AN EX PARTE MOTION?

I CAN'T UNDERSTAND WHY YOU, AS CHIEF JUDGE, DID NOT ISSUE AN ORDER CITING ME FOR CONTEMPT INSTEAD OF WRITING ME A BLACK-MAIL LETTER THREATENED TO DO SO IF I INSISTED THAT I HAD THE "LEGAL RIGHT TO CHALLENGE THE "VALIDITY" OF TIDWELL'S PERMANENT RESTRAINING ORDER

I WAS ENTITLED TO A TRIAL ON THE MERITS OF C.A.NO.80-1236-A BEFORE SHOOB SOLICITED AN EX PARTE MOTION TO QUASH SERVICE TO DEFENDANTS FOR THE COURTS HAVE HELD THAT: "NATURE OF CONTEMPT CASES RE - QUIRES THAT THOSE CHARGED WITH VIOLATION OF AN INJUNCTION AS CONTEMPT BE AFFORDED DUE PROCESS GUARANTEED BY --- U.S.C.A. CONST.-- AMENDS. 5-6-14-ADAMS V. SAMPSON (D.C.N.H.1978) 454 F.SUPP.233. CAN YOU INFORM ME AS TO WHY I WAS DENIED DUE PROCESS WITH C.A.NO.80-1236A?

THEREFORE, PLEASE BE ADVISED THAT JUDGE SHOOB WOULD HAVE BEEN VERY PLEASED TO HAVE DISMISSED MY COMPLAINT WHICH YOU ARE HOLDING, BUT HE WOULD NOT HAVE RETURNED MY FILING FEE OF $ 65.00 AND THAT MUCH MONEY MEANS SOMETHING SPECIAL TO THIS PARTY WHO LIVES ON A DISABILITY INSURANCE CHECK FROM SOCIAL SECURITY.

I'VE BEEN WAITING TEN (10) LONG MONTHS FOR VINING TO BRING ME TO TRIAL WITH COURT APPOINTED COUNSEL FOR "APPARENTLY" VIOLATING TIDWELL'S "PERMANENT SUPPRESSION ORDER" REVELANT TO THE MISCONDUCT OF - FEDERAL JUDGE ALBERT J. HENDERSON, JR. AND I SHOULD APPRECIATE IT IF YOU WOULD AFFORD ME THE RIGHT OF THAT TRIAL WITH COURT APPOINTED - COUNSEL BECAUSE WITHIN 30 MINUTES TIDWELL'S "PERMANENT SUPPRESSION ORDER" WILL BE COMPLETELY INVALIDATED BY ME FROM THE WITNESS STAND.

I RESPECTFULLY REQUEST THAT YOU ANSWER THE FOUR QUESTIONS PRESENTED TO YOU.

FOR YOUR INFORMATION, I ADVISE YOU THAT YOUR COURT AND JUDGES ARE THE SUBJECT MATTERS OF MY APPEAL PRESENTLY PENDING IN THE UNITED STATES SUPREME COURT.

TWO QUESTION PRESENTED FOR REVIEW BY THAT COURT ARE (1) DID JUDGE ALBERT HENDERSON HAVE THE POWER TO LET THE APPELLEES PROCEED AGAINST ME IN HIS COURT ON THE"STRENGHT" OF A FRAUDULENT ORDER DESIGNED TO CONTROL THE JUDGMENTS FOR C.A.NO.78-31-N AND C.A.NO.78-47-N, AND I FURNISHED THE FRAUDULENT ORDER, AND (2) DID JUDGE TIDWELL HAVE THE POWER TO ENTER A PERMANENT RESTRAINING ORDER AGAINST ME IN A MANNER INCONSISTENT WITH DUE PROCESS REQUIRED BY FED R CIV P RULES 65 (a)(1), 65(b) AND 65(d)?

I SINCERELY HOPE AND TRUST THAT THE SUPREME COURT WILL ENTER AN OPINION ON THOSE TWO (2) QUESTIONS PRESENTED.

THE ATTACHED COURT ORDER MARKED EXHIBIT # 1 SHOWS THAT JUDGE VINING, ONE OF YOUR DISTRICT COURT JUDGES, CERTIFIED THE LIE TO THE FIFTH CIRCUIT COURT OF APPEALS THAT WE REFUSED TO OBEY A LAWFUL "COMMAND" OF HIS COURT TO APPEAR ON SEPTEMBER 3, 1980 FOR A CONTEMPT TRIAL.

ATTACHED COURT ORDER MARKED EXHIBIT # 2 SHOWS THAT JUDGE -- VINING CANCELED THAT SCHEDULED HEARING ON SEPTEMBER 2, 1980 AND TO MAKE SURE THAT I DID NOT APPEAR HE HAD HIS COURT-ROOM REPORTER TO-CALL ME AND INFORM THAT THE SET HEARING HAD BEEN CONTINUED.

YOU TALK ABOUT INSULTING YOUR JUDGES, BUT YOU SAY NOTHING ABOUT THE GROSS INSULTS HEAPED ON ME BY YOU AND YOUR JUDGES FOR NO OTHER REASON THAT I AM A PRO SE AND ALL OF YOU KNOW THAT YOU CAN ABUSE ME AND DENY ALL OF MY CIVIL RIGHTS WITHOUT FEAR OF BEING EXPOSED OR MADE TO COMPENSATE ME FOR YOUR THEFT OF MY CIVIL RIGHTS. AN - HONEST JUDGE WOULD NOT HAVE WRITTEN THE INTIMIDATING LETTER WHICH YOU WROTE ME MAKING THREATS TO CITE ME FOR CRIMINAL CONTEMPT IF I INSIST THAT YOU FILE MY COMPLAINT WHICH YOU GOT FROM THE CLERK. YOUR COURT CONFISCATED MY"30 YEAR PROPERTY RIGHT"AND WHEN I TRY TO GET DUE PROCESS IN YOUR DISTRICT COURT YOU MAKE THREATS TO CITE ME FOR CRIMINAL CONTEMPT IF I CONTINUE SEEKING TO"PETITION THE GOVERNMENT FOR REDRESS OF GRIEVANCES" U.S.C.A.CONST.AMEND.1.

NOW, WITH EVIDENCE BEFORE BOTH YOUR EYES AND CONSCIENCE SHOWING THAT JUDGE VINING LIED ABOUT ME FOR BENEFIT OF THE APPELLEES YOU INSIST THAT IF I WANT YOU TO FILE THE COMPLAINT, WHICH YOU ARE HOLDING, THAT YOU WILL ASSIGN IT TO JUDGE VINING'S COURT. THEN YOUR LETTER ALSO STATES THAT JUDGE VINING MAY DECIDE TO CITE ME FOR CONTEMPT. BUT IF I WOULD BE CITED FOR CIVIL CONTEMPT I WOULD ADVISE YOU TO FILE THE COMPLAINT BECAUSE A CIVIL CONTEMPT CITATION CANNOT STAND IF THE UNDERLYING ORDER IN QUESTION IS INVALIDATED VIA A FULL, IMPARTIAL TRIAL. BUT WITH CRIMINAL CONTEMPT, I KNOW THAT SUCH A CITATION STANDS REGARDLESS OF THE VALIDITY OF THE UNDERLYING ORDER.

BE ASSURED THAT I WILL NEVER AGREE FOR YOU, AS CHIEF JUDGE, TO -- ASSIGN ONE OF MY COMPLAINTS TO THE COURT OF EITHER JUDGES MOYE, TIDWELL, VINING, SHOOB OR EVANS FOR TO DO SO IS THE SAME AS A PRO SE

THROWING $ 65.00 IN A HOLE BECAUSE A PRO SE DRAFTED COMPLAINT - FILED WITH EITHER OF THOSE JUDGES DOES NOT GET THE REQUIRED HEARING BEFORE BEING DISMISSED.

"DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT LIMITS THE POWER OF COURTS TO DISMISS AN ACTION WITHOUT AFFORDING A PARTY THE OPPORTUNITY FOR A HEARING ON THE MERITS OF HIS CAUSE" SEE, EMERICK V. FENICK (C.A.FLA.1976) U.S.C.A.CONST.AMEND.5-539 F.2D 1379. JUDGE SHOOB DID NOT AFFORD ME A HEARING BEFORE HE DISMISSED WHAT HE REFERRED TO AS C.A.NO.80-1236-A. NO, HE MERELY RULED THAT THAT ACTION "APPARENTLY" VIOLATED JUDGE TIDWELL'S SUPPRESSION ORDER WHICH TIDWELL CALLS AN INJUNCTION.

JUDGE TIDWELL DID NOT AFFORD ME A HEARING ON MY CAUSE SET FORTH IN C.A.NO.79-106-N BEFORE HE FRAUDULENTLY DISMISSED IT AND TACKED ON TO HIS DISMISSAL ORDER AND ORDER TO SUPPRESS JUDGE HENDERSON'S MISCONDUCT WITH AND FOR BENEFIT OF THE APPELLEES. TO BE SURE, HE CALLS HIS SUPPRESSION ORDER AN INJUNCTION.

"THE PURPOSE OF A PRELIMINARY INJUNCTION IS TO PRESERVE THE STATUS QUO UNTIL MERITS OF ISSUES CAN BE HEARD AND DECIDED" SEE, MIAMI BEACH FEDERAL SAV.& LOAN ASS'N V. CALLANDER, C.A.FLA.1958, 256 F2D 410. JUDGE TIDWELL DID NOT AFFORD ME A HEARING TO DETERMINE THE ISSUES BEFORE HE ISSUED WHAT HE CALLS A PERMANENT RESTRAINING ORDER AGAINST ME.

"A PERMANENT INJUNCTION IS ISSUED ONLY AFTER A FULL TRIAL ON THE MERITS" SEE, CHAPPELL & CO. V. FRANKEL, (C.A.N.Y.1966) 367 F.2D 197. SO, JUDGE TIDWELL FRAUDULENTLY DISMISSES C.A.NO.79-106-N AND ORDERS ALL ALLEGATIONS SUPPRESSED TO COVER UP JUDGE HENDERSON'S CONDUCT OF MALFEASANCE IN OFFICE, BUT HE PRETENDS THAT SAID SUPPRESSION ORDER WAS A "PERMANENT INJUNCTION", BUT HE DID NOT AFFORD US A HEARING ON THE MERITS OF C.A.NO.79-106-N, AND NOW YOU MAKE THREATS TO CITE US FOR CRIMINAL CONTEMPT IF WE INSIST THAT WE HAVE A SECURED RIGHT TO SEEK RELIEF FROM JUDGE TIDWELL'S UNLAWFUL ORDER.

THE LAWSUIT WHICH WE FILED, BUT WHICH YOU PREVENTED FROM BEING OFFICALLY SERVED NAMED ONLY YOUR COURT AS A DEFENDANT. WE DID NOT ASK AS RELIEF ANY MONEY DAMAGES. THE ONLY RELIEF SOUGHT IS TO STRIKE JUDGE TIDWELL'S UNLAWFUL PERMANENT RESTRAINING ORDER FROM THE RECORD, (2) STRIKE JUDGE TIDWELL'S ORDER PROTECTING THE APPELLEES FROM SUIT FOR THEIR HAVING FILED FRAUDULENT CONTEMPT CHARGES AGAINST ME, AND YOUR ATTACHED LETTER INSIST THAT IT WILL BE GROUNDS FOR CONTEMPT IF I INSIST ON MY RIGHT TO SEEK SUCH RELIEF.

WELL, THEN, YOUR POSITION IS CLEAR. IF A COURT FRAUDULENTLY RESTRAINS A PARTY PERMANENTLY HE/SHE HAS NO RIGHT TO SEEK RELIEF.

EXH 1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

JAMES E. PATTERSON,

Plaintiff,

vs.

HANS J. SCHACHT, JOHN HINCHEY, NEIL GUNTER, WESLEY BOYD, both individually and in their official capacities as State of Georgia employees, THEODORE E. FRANKEL, individually and in his capacity as counsel for The Georgia Association of Educators, RALPH JOHNSON, individually and in his capacity as an employee of the Troup County Schools, OTIS J. ABERNATHY, both individually and in his capacity as Superintendent of Troup County Schools, KENNETH L. GORDON as counsel for Plaintiff, and Bonding Companies of all Defendants,

Defendants.

CIVIL ACTION

No. C 79-106 N

(3) Since you rule that said order is not appealable why have you ignored my motion for a Trial? Oh! I all. You lie to the appeals court that you did offer me a Trial but I failed to appear. a motion denied on the basis of perjury denies due process for a client with counsel, but not for a pro se because a pro se has no federal Court rights.

(4) "For these reasons" civil false statements and a motion based on perjury denies due process if represented by counsel.

J. C. P.
11/5/80

ORDER

I filed no such motion.

(1) The plaintiff seeks leave to appeal in forma pauperis the order of August 8, 1980, in which he was directed to show cause why he should not be held in contempt. The August 8, 1980, (3) order is not an appealable order, and the notice of appeal was filed more than thirty days after that order. [(2) Additionally, the plaintiff did not appear at the time or place ordered in the August 8 order. [(4) For these reasons, the court hereby certifies pursuant to Fifth Circuit Local Rule 8.3 that the appeal is frivolous and not taken in good faith, and the motion to proceed in forma pauperis is DENIED.

SO ORDERED, this 6th day of October, 1980.

(1) Deliberate perjury by a federal judge made to the court of appeals to foreclose any motion for denied right to a Trial.

(2) Deliberate perjury made to Court of appeals to falsely say, "we offered him a Trial. But he failed to appear therefore his appeal for a Trial is not Taken in

Robert L. Vining, Jr.
ROBERT L. VINING, JR.
United States District Judge

FILED IN CLERK'S OFFICE
AND A TRUE COPY CERTIFIED, 5318
10/7/80
Ben B. [illegible], Clerk
By: [illegible] Deputy Clerk

9.

NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

BY: Karen Harper
Deputy Clerk

JAMES E. PATTERSON

-vs-

HANS J. SCHACHT, et al

CIVIL ACTION

#2

NO. C 79-106 N

ORDER

Defendant Theodore G. Frankel having moved the Court to hold Plaintiff James E. Patterson in Contempt of Court for violating the Court's Order and injunction of March 20, 1980, by filing on July 21, 1980 a new Complaint in the District Court styled Patterson v. Abernathy, et al, Civil Action File No. C80-1236A, having further moved the Court to enforce its injunction by enjoining and quashing service of said Complaint, and the Court having considered that Motion and the Memorandum in Support thereof, and the matter having been referred to Honorable Robert L. Vining, Jr., United States District Judge, Northern District of Georgia, for a show cause hearing in the matter, by Honorable G. Ernest Tidwell, United States District Judge, Northern District of Georgia,

IT IS THEREFORE ORDERED that the show cause hearing date of September 3, 1980 at 4:00 o'clock p.m., be, and the same hereby is continued until further order of this Court.

This the 28th day of August, 1980.

"Continued" you said and I retained private Counsel in spite of the fact that I applied for Court appointed Counsel on the ground that I am not employed. 11-15-80

You issued me a show cause order but now refuse counsel and a show cause Trial. WHY? The answer is, "Because, like I told you, you don't need a lawyer and this Court will not appoint one for you."

11/15/80

Robert L. Vining, Jr.
ROBERT L. VINING, JR.
UNITED STATES DISTRICT JUDGE

"9-8-80"

FILED IN CLERK'S OFFICE
AND A TRUE COPY CERTIFIED, THIS
9/8/80
Dan H. Garrett, Clerk
By: [signature]
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
Newnan DIVISION

Last time before this Order from Judge Tidwell's court for an Order of Consent Judgment since he did not! See, No. 8 below.

James C. Patterson

Plaintiff

Vs.

Hans J. Schacht, et al

Defendant

CIVIL ACTION NO. 79-106N

#2

Now, I have a "Order of the Court" ordering the defendants to offer me a consent judgment. ITEM No. 8 below. 4-8-80

??

ORDER OF THE COURT

BY DIRECTION OF THE HONORABLE G. ERNEST TIDWELL

Parties are hereby directed that within 90 days of the date of this notice, but not beyond the current discovery deadline, the Court requires a status report from the attorneys for each party.

The status report shall contain the following information: (1)

1. A brief description of the type of case
2. A very brief summary of the contentions and issues involved
3. A description of any jurisdictional or venue problems
4. A list of parties that have not been served, and an explanation of why each party has not been served
5. A summary of discovery -
   (a) Completed
   (b) Contemplated
6. Whether the trial is jury or non-jury and the estimated length of trial
7. Are there any unresolved (a) existing motions (b) do the parties contemplate the filing of any additional motions, and if so, a description of same.
8. (1) Prior to making the status report, counsel are required to hold a good-faith settlement conference (in person and with lead counsel for all parties) and the status report shall give a detailed report of said settlement conference.

F.R.C.P. Rule 68

Dated this 5th day of March, 1980.

#3

C.A. No. 79-106N was filed on 12-3-79. Date of this order - 3-5-80, which was after 3 filed for Summary J. etc.

BEN H. CARTER, CLERK

By: Karen Gardner
Karen Gardner
Courtroom Deputy Clerk
for Judge Tidwell

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

JAMES E.PATTERSON
PLAINTIFF,PRO SE

V.

HANS J.SCHACHT,ET AL.

CASE NO.C78-31-N

JAMES E.PATTERSON
PLAINTIFF,PRO SE

V.

OTIS J.ABERNATHY &
KENNETH L.GORDON

CASE NO.C78-47-N

I certainly hope that THIS Court will teach this Federal District Court to be ashamed when it tries to subpoena me for contempt. a CONTEMPT would impede this Judge and others. 3-5-81

PLAINTIFF REFUSES TO SUBMIT A FURTHER BRIEF

THE COURT HAVING REQUESTED AT THE SO CALLED TRIAL FOR THE ABOVE-ENTITLED CASES ON NOVEMBER 20,1978 THAT FINAL BRIEFS BE SERVED ON OR BY NOVEMBER 25,1980 THE PLAINTIFF,PRO SE DECLINES TO COMPLY WITH SAID REQUEST FOR THE FOLLOWING REASONS.

2.

THE COURT HAS ALREADY GRANTED THE DEFENDANTS THE JUDGMENTS FOR BOTH CASES WHEN THE COURT PERMITTED THE DEFENDANTS TO ENTER A FRAUDULENT PROTECTIVE ORDER (P.O.) DESIGNED TO DENY ALL OF MY DISCOVERY RIGHTS WITH CASES IN WHICH ALL EVIDENCE CITED AGAINST ME BY THE GA. PROFESSIONAL PRACTICES COMMISSION (COMMISSION) CAME FROM 127 EXHIBITS WHICH THE COMMISSION CLAIMS BEARS MY SIGNATURES,BUT THE COMMISSION'S HEARING RECORD REVELANT TO THIS MATTER REVEALS THAT I WAS NOT CONFRONTED ON CROSS-EXAMINATION RESPECTIVE TO MY ALLEGED SIGNATURES ON THOSE CITED 127 EXHIBITS.

3.

THE P.O.ORDER CITED ABOVE IN PARAGRAPH NO.2 FALSELY STATES THAT AN ATTORNEY REPRESENTED THIS "PLAINTIFF,PRO SE" AT A DISCOVERY CONFERENCE IN THE COURT'S CHAMBERS ON JULY 26,1978,BUT THE JUDGE KNEW WHEN HE SIGNED THAT FRAUDULENT P.O. THAT NO ATTORNEY REPRESENTED US IN ANY SUCH DISCOVERY CONFERENCE AND THAT THIS PRO SE DID NOT ATTEND ANY SUCH DISCOVERY CONFERENCE AS THAT ALLUDED TO BY THE FRAUDULENT P.O.CONTRARY TO WHAT THE P.O.STATES THEIR CAN BE NO "PLAINTIFF,PRO SE"REPRESENTED BY LEGAL COUNSEL.

4.

THE COURT CONSPIRED WITH THE DEFENDANTS TO DENY MY RIGHT OF COMPULSORY PROCESS TO SUBPOENA THE COMMISSION HEARING PANEL THAT HEARD

THIS MATTER IN A PUBLIC TRIAL ON JULY 16,1976 SO THAT I COULD -- HAVE PROVEN BY THEIR TESTIMONY THAT THE COMMISSION'S TRANSCRIPT OF THIS MATTER IS NOT THAT OF THE PUBLIC HEARING.

5.

THE COURT CONSPIRED WITH THE DEFENDANTS TO PREVENT ME FROM TAKING DEPOSITIONS FROM THEM AND THE COMMISSION HEARING PANEL FOR THIS CASE.

6.

THE COURT DENIED ME DUE PROCESS AT THE SO CALLED TRIAL BY RULING THAT I COULD NOT UTILIZE THE COMMISSION'S COPY OF THE HEARING RECORD REVELANT TO THIS MATTER SO THAT I COULD SHOW THAT THE COMMISSION DENIED ME THE DUE PROCESS RIGHT OF CONFRONTATION ON CROSS-EXAMINATION RESPECTIVE TO THE EXHIBITS WHICH THE COMMISSION HAD PREVIOUSLY USED AGAINST ME ------ IN MY ABSENCE.

7.

IT IS A TRAVESTY ON JUSTICE WHEN A FEDERAL JUDGE DISHONESTLY --- USES HIS AWESOME POWER TO SIGN AN ORDER WHICH FALSELY STATES THAT A LAWYER REPRESENTED US IN A DISCOVERY CONFERENCE IN CHAMBERS ON JULY 26,1978 WHEN THE COURT KNEW/KNOWS THAT THERE WAS NO SUCH DISCOVERY CONFERENCE AND THAT NO LAWYER REPRESENTED US WITH CASES NOS.C78-31-N AND C78-47-N. NO YOUR HONOR, I, A PRO SE, CANNOT WRITE A BRIEF THAT -- WILL OVER-COME SUCH A TRAVESTY ON JUSTICE AND SUCH HEINOUS MISCONDUCT BY A FEDERAL JUDGE.

8.

WHEN THE COURT SIGNED THE P.O. IN QUESTION ON AUGUST 8,1978 IT AUTOMATICALLY GRANTED THE DEFENDANTS JUDGMENTS FOR BOTH CASES NOS. C78-31-N & C78-47-N, AND YET, NO.C78-47-N HAD NOT EVEN BEEN DOCKETED ON JULY 26,1978. THE POINT HERE IS THAT THE COURT FALSELY ALLUDED TO A CONFERENCE ON JULY 26,1978 IN HIS P.O.SIGNED ON AUGUST 8,1978.

9.

SOME OF THE DEFENDANTS NEVER APPLIED FOR A PROTECTIVE ORDER, BUT THE COURT MADE THE FRAUDULENT P.O. APPLICABLE TO THEM AND SO ALL OF PRE-TRIAL DISCOVERY RIGHTS WERE DENIED BY THE COURT'S FRAUDULENT P. O.

10.

WITH CONSIDERATION GIVEN TO THE ABOVE DECLARATION OF FACTS, I AM OF THE OPINION THAT THE REASON WHY THE COURT SPENT NOVEMBER 20,1978 SHOUTING AT ME AT THE SO CALLED TRIAL WAS TO BENEFIT THE DEFENDANTS.

11.

WHEREFORE, THE COURT HAVING ALREADY GRANTED THE JUDGMENTS FOR BOTH ABOVE CAPTIONED CASES WHEN IT ENTERED THE FRAUDULENT P.O.ON AUGUST 8,1978, I KNOW THAT I CANNOT CHALLENGE A FRAUDULENT P.O. AND A DISHONEST JUDGE WITH A FINAL BRIEF AND SO FOR STATED REASONS I DECLINE

THE COURT'S REQUEST FOR A FINAL BRIEF.

12.

WHEREFORE, I AM AWARE OF THE FACT THAT THE COURT CAN CITE ME FOR CONTEMPT WHETHER MY CHARGES DECLARED IN THE FOREGOING OR TRUE OR FALSE, BUT BEFORE I GO TO FEDERAL PRISON FOR CRIMINAL CONTEMPT I WILL BE AFFORDED A PUBLIC TRIAL AND AN OPPORTUNITY TO FORCE THE COURT & DEFENDANTS TO PRODUCE THE ATTORNEY WHOM THEY CLAIMED REPRESENTED THIS CHEATED PRO SE IN JUDGE ALBERT HENDERSON'S COURT REVELANT TO CASES NOS. C78-31-N & C78-47-N.

13.

THE ABOVE STATEMENTS ARE MADE AS A DECLARATION OF FACTS UNDER THE PENALTY FOR MAKING A PERJURED STATEMENT TO A FEDERAL COURT.

James Patterson

JAMES E. PATTERSON, PRO SE
1004 VERNON STREET
LAGRANGE, GEORGIA 30240
[404] 882-8533

DATED: 11-21-78.

the merits of a pleading should over-come the fact that the pleading is not in compliance with form required by this court.
3-9-81

NOW HAVING SUBMITTED EVIDENCE WHICH LEAVES NO DOUBT IN THE MIND OF AN IMPARTIAL, HONEST OBSERVER THAT NO JUDGE ON THE BENCH OF YOUR COURT WILL EVER BRING ME TO PUBLIC TRIAL FOR CIVIL CONTEMPT BECAUSE TO DO SO WOULD IMPEACH JUDGES TIDWELL, HENDERSON, VINING AND SHOOB AND IT WOULD BE PUBLICLY EMBARRASSING TO THEM TO FACE THEIR WRITTEN PERJURED ORDERS, OR ORDERS BASED ON PERJURED FINDINGS, I - FURTHER SUBMIT TO YOU THAT THE SUIT YOU HOLD DOES NOT VIOLATE THE INJUNCTIVE CLAUSE WHICH JUDGE TIDWELL TACKED ONTO THE DISMISSAL - ORDER FOR C.A.NO.79-106-N IN CLEAR VIOLATION OF FED R CIV P RULE 65(d) WHICH REQUIRES THAT AN INJUNCTION BE SERVED AS A SEPARATE JUDGMENT WITH A NOTICE. JUDGE TIDWELL DID NOT ENTER AN INJUNCTION AS A SEPARATE JUDGMENT TO BE SERVED ON ME WITH A NOTICE.

JUDGE TIDWELL'S TACKED ON INJUNCTIVE CLAUSE IMPLIED THAT WE COULD NOT REFILE ANY CLAIM AGAIN WHICH WE HAD FILED IN EITHER THE DISTRICT OR APPELLANT COURT AND I FURTHER SUBMIT TO YOU THAT THE ONE AND ONLY TIME THE U.S.DISTRICT COURT FOR NORTHERN DISTRICT OF GEORGIA HAS BEEN NAMED AS THE SINGLE DEFENDANT IN A LAWSUIT DRAFT-ED BY THIS CHEATED PRO SE IS THE LAWSUIT WHICH YOU PREVENTED FROM BEING FILED. THEREFORE, THERE IS NO CLAIM IN THE SUIT WHICH YOU HOLD THAT HAS EVER --- BEFORE --- BEEN SET FORTH IN A LAWSUIT FILED BY THIS ABUSED PRO SE IN EITHER THE DISTRICT COURT OR THE APPELLANT COURT. PERIOD. NOW, PUT UP YOUR EVIDENCE TO THE CONTRARY, PLEASE SIR!

IF JUDGE VINING HAD COMPLIED WITH THE REQUIREMENTS OF FED R - CIV P RULE 65(d) YOU WOULD NOT INSIST THAT ANY SUIT FILED BY ME - "VIOLATES JUDGE TIDWELL'S INJUNCTION" WHICH IS VERY UNCLEAR INJUNC-TIVE CLAUSE TACKED ONTO A DISMISSAL ORDER, BECAUSE TO HAVE COMPLIED WITH RULE 65(d) WOULD HAVE SET DOWN IN WRITING IN VERY DEFINITE - STATEMENTS WHICH CONDUCT OR ACTION WAS AND WAS NOT PROHIBITED.

A COMPETENT ATTORNEY, WHICH THIS COURT SHOULD HAVE APPOINTED TO REPRESENT ME LAST AUGUST AFTER CITING ME, WOULD BEAT A CRIMINAL CONTEMPT CHARGE IF VINING'S INJUNCTIVE CLAUSE WAS ATTACKED BECAUSE IT IS UNCONSTITUTIONAL AND IT DOES NOT COMPLY WITH FED R CIV P RULES 65(a)(1), 65(b) & 65(d).

"RIGHT TO REMEDY OF CRIMINAL CONTEMPT FALLS WITH AN INJUNCTION WHICH EVENTS PROVE WAS ERRONEOUSLY ISSUED" HYDE CONST.CO. V.KOEH-RING CO., (C.A.OKL.1968) 388 F.2D 501; DUNN V.U.S., (C.A.OKL.1968) 388 F.2D 511.

"AN INJUCTION ISSUED IN A MANNER INCONSISTENT WITH DUE PROCESS IS VOID" YANISH V.BARBER, (C.A.CAL.1956) 232 F.2D 939.

LAST AUGUST AFTER YOUR COURT HAD ISSUED A SHOW CAUSE ORDER TO ME I FILED TWO AFFIDAVITS WITH YOU SHOWING MY INABILITY TO RETAIN PRIVATE COUNSEL. THE APPELLANT COURTS DECLARE THAT MY REQUEST WAS A MATTER OF A CONSTITUTIONAL RIGHT. "DISTRICT COURT ERRED IN FAILING TO APPOINT DEFENDANT COUNSEL AT OUTSET OF CONTEMPT PROCEEDINGS WHEN HE FACED THE RISK OF BEING FINED OR IMPRISONED" RICHMOND BLACL POL-ICE OFFICERS ASS'N V.CITY OF RICHMOND, VA. (C.A.VA.1977) 18 U.S.C.A. ## 401(3), 6001 et seq; 28 U.S.C.A.#1826, CIVIL RIGHTS ACT OF 1964, # 1101, 42 U.S.C.A.# 2000h. 548 F.2D 123.

RECEIVED IN CLERKS Office
U.S.D.C. - Newnan
MAR 20 1981
BEN H. CARTER, Clerk
By: Deputy Clerk

MR.SID GRIFFETH
DEPUTY CLERK
UNITED STATES DISTRICT COURT
NEWNAN,GEORGIA 30263

IN RE: C.A.NO.79-106-N

DEAR SIR:

MR.ROBERT ALTMAN OF THE FEDERAL DEFENDER PROGRAM HAS BEEN TOLD BY A STAFF MEMBER OF JUDGE VINING'S COURT THAT JUDGE VINING HAD ISSUED AN ORDER DROPPING THE CONTEMPT CHARGES ISSUED AGAINST ME BY - JUDGE TIDWELL ON AUGUST 7,1980.

(1) I DON'T UNDERSTAND WHY THE CLERK'S OFFICE DID NOT FURNISH ME A COPY OF JUDGE VINING'S ORDER DROPPING CONTEMPT CHARGES AGAINST ME.

THE LAST ORDER WHICH I HAD REVELANT TO THOSE CHARGES FROM JUDGE VINING CERTIFIED TO THE FIFTH CIRCUIT THAT CONTEMPT CHARGES COULD NOT BE DROPPED,DISMISSED OR VACATED BY MOTION.SAID ORDER WAS ENTERED ON OCTOBER 9,1980.

RESPECTFULLY,
James E. Patterson
JAMES E.PATTERSON
1004 VERNON STREET
LAGRANGE,GEORGIA 30240

DATED: 3/19/81.

"told" a lie

March 20, 1981

Dear Mr. Patterson:

(1) The reason you were not furnished a copy of the above order dropping the contempt charges. No order of any kind has been filed in the above case.

Respectfully,
Sid G. Griffith
Deputy-in-Charge
Newnan Division

(1) fraudulent Concealment of the facts to prevent me from being represented by a federally funded legal program. Just lie and say "no charges are pending against him" that lie denies me the service of a public defender; Judge may. now read mr. Altman's letter to see that he was lied to.

J.C.P.
5/26/81.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
75 SPRING STREET, S. W.
ATLANTA, GEORGIA 30303

CHARLES A. MOYE, JR.
CHIEF JUDGE

May 19, 1981

Mr. James E. Patterson
1004 Vernon Street
LaGrange, Georgia 30240

Dear Mr. Patterson:

I am in receipt of your complaint styled James E. Patterson v. United States District Court-Northern District of Georgia, tendered to the clerk on or about May 12, 1981. The clerk has asked me for direction with respect to the filing of the complaint in view of the attachment stating that it should not be filed if the clerk were going to assign it to Judge Shoob. Before advising the clerk whether to file the complaint, I am providing you with certain information by way of this letter, so that you may best decide what future course of action to take.

First, the judges of this Court have directed the clerk to assign related cases to a single judge. Such a procedure is most efficient for parties, counsel, and the Court because only one judge has to become educated about circumstances giving rise to several lawsuits. In particular, this procedure involves the assignment of multiple cases filed by any given pro se plaintiff to a single judge. In our experience pro se plaintiffs who file multiple lawsuits often complain in each lawsuit of matters factually or legally related to their other lawsuits. We feel that the Court can more intelligently and efficiently devote to the problems giving rise to such multiple lawsuits the attention they deserve if all such cases are assigned to a single judge.

In view of the above, your complaint, if filed, would be assigned to Judge Vining, before whom there is pending in Patterson v. Schact, et al., C79-106N, an order to show cause why you should not be held in contempt for violating Judge Tidwell's order of August 7, 1980. Upon assignment of the case to Judge Vining, he could order you to show cause why you should not be held in contempt for further violating Judge Tidwell's order by filing your present complaint as well as for using language in the present complaint that is abusive, insulting and scurrilous with respect to this Court and its judges. Of course, he could take whatever other steps he deems appropriate including granting you relief or dismissing your case.

Please inform me by letter directed to the above address whether you wish to have your complaint filed under these circumstances. If you do, as I say, it will be assigned to Judge Vining. If you do not wish to have it filed, it will be returned to you along with your filing fee.

Before deciding what course of action to take, I urge you to seek the advice of an attorney. If you decide to have your complaint filed and if Judge Vining orders you to show cause why you should not be held in contempt, then he will appoint an attorney for you if he determines that such an appointment is appropriate. That will be a matter for his decision.

I hope you will give this matter the serious attention it deserves.

Yours sincerely,

Charles A. Moye, Jr.

Charles A. Moye, Jr.

CAMjr:cc